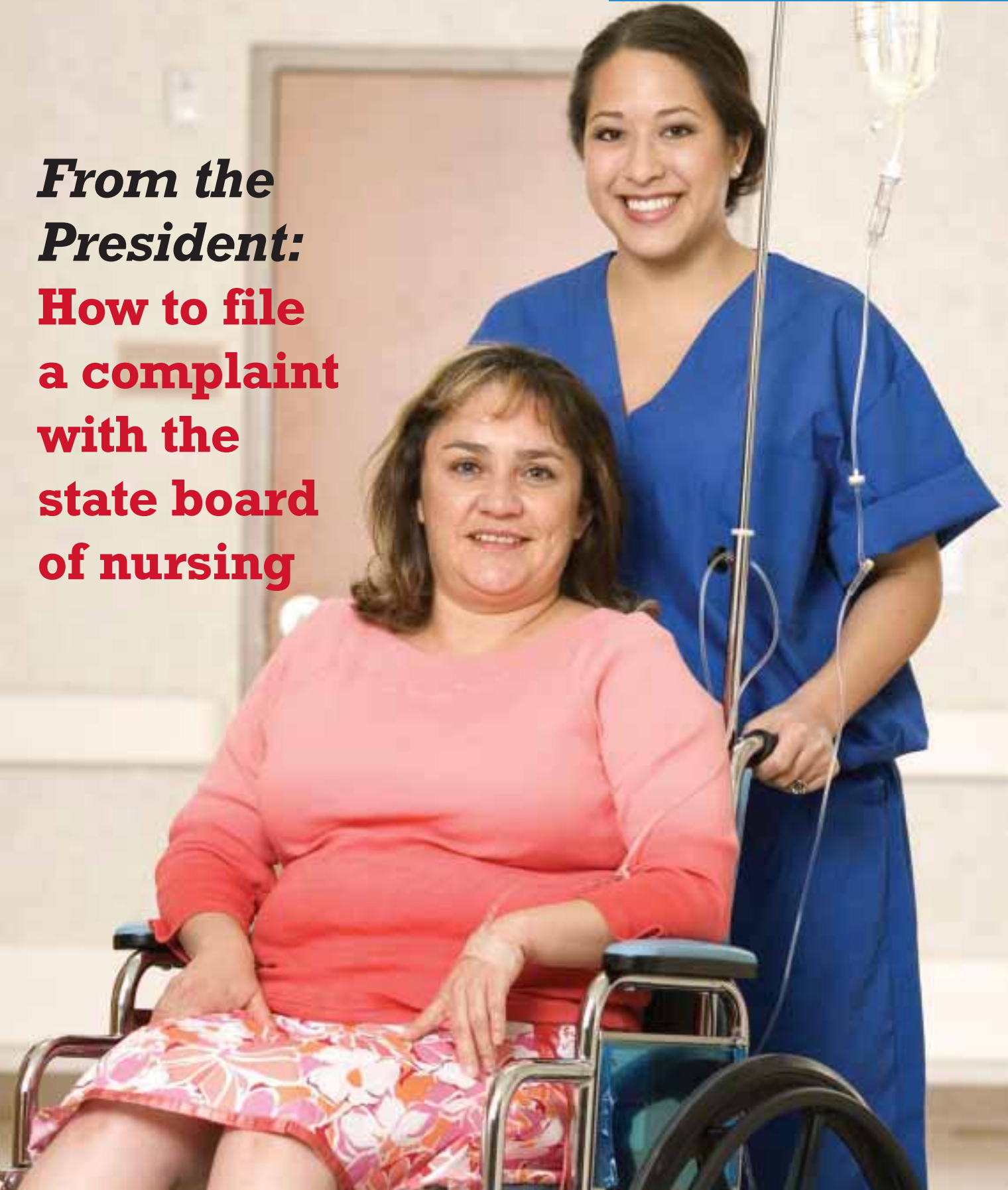


NURSING FOCUS

Official Publication of the Indiana State Board of Nursing

• September 2006 • VOLUME 2 • NUMBER 3 •

***From the
President:
How to file
a complaint
with the
state board
of nursing***





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Frances L. Kelly
Executive Director

Office Location

Indiana Professional Licensing Agency
Indiana State Board of Nursing
Indiana Government Center South Building
402 West Washington Street, Room W072
Indianapolis, IN 46204

Contact Information

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How to file a complaint with the state board of nursing

by Laurie Peters, MSN, RN



Nurses often face workplace situations in which they've witnessed a colleague consistently providing substandard patient care or had concerns about patient safety issues. One issue that arises is how to file a complaint with the state board of nursing.

Complaints made to Indiana State Board of Nursing (BON) generally concern substandard care and can be made by health care providers, patients and their family members, and health care organizations. The Indiana Nurse Practice Act compels licensed nurses to report deficiencies in care provided by other professionals. According to the Indiana Administrative Code 848 IAC 2-2-2 *Responsibility as a Member of the Nursing Profession*, subsection 11, the nurse shall, "notify in writing the appropriate party which may include: (A) the office of

the attorney general, consumer protection division; (B) his or her employer or contracting agency; or (C) the board of any unprofessional conduct which may jeopardize the patient/client safety".

The Indiana BON accepts letters, faxes and e-mail complaints, which are then forwarded to the Attorney General's office for investigation. A complaint form is available on-line from the Office of Attorney General at www.indianaconsumer.com. The Indiana Attorney General's office receives, investigates, and prosecutes all complaints against licensed health professionals. The filed complaint should include your name and contact information; the name of the nurse involved in the incident(s); the name of the party harmed; the date, time, shift, and place of the alleged disciplinary violation(s); an explanation of your relationship to the party harmed; and other details that you deem appropriate to the complaint. Per statute, no anonymous complaints will be investigated.

You do not need to provide evidence to compel investigation of a complaint. An investigator from the Attorney General's office is sent to the site to gather as much information as possible about the incident. The investigator obtains and reviews medical records, drug logs, personnel records, and incident reports, and takes depositions or call in prospective witnesses for questioning. Once the investigation is complete, it is reviewed by the analyst supervisor and Chief of

medical licensing. The complaint is then sent to a board designee who either approves or disapproves the investigators recommendations.

During the course of the investigation, all information is confidential. If the recommendation by the board designee is not to file charges, then the case is closed and remains confidential. If the recommendation is to charge, the case is turned over to the litigation section of the Attorney General's office. The case remains confidential until a formal administrative complaint is filed with the board. At that point, the case becomes public information.

There is no statute of limitation on complaint cases. If another incident occurs involving the same nurse, all old complaints are opened and reviewed to see if they rise to the level of a licensing violation. When the case is brought before the board, the entire board considers the matter and determines the initiation of disciplinary action against the nurse.

What types of incidents are reportable?

Reportable incidents include:

- **using unsafe judgment**
- **failing to provide nursing care**
- **performing techniques or procedures for which the nurse is unprepared**
- **disregarding dignity, privacy, or right to confidentiality**

continued on page 6



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- **improper transfer of license to another**
- **theft from a patient or associate**
- **conviction of a crime having a direct bearing on nursing practice**
- **failure to maintain acceptable standards of nursing practice due to professional incompetence, physical or mental disability, or abuse of drugs or alcohol which endangers the public**
- **abusing either verbally, physically, emotionally, or sexually**
- **falsifying, omitting, or destroying documentation**
- **abandoning or knowingly neglecting patients/clients requiring nursing care**
- **diversion of drugs**
- **failure to report unprofessional conduct to the appropriate authority**

Why should I report substandard nursing care?

Although you may be reluctant to report a colleague to the BON, as a nurse, you have a legal and ethical duty to report substandard care. As with most other states, Indiana's nurse practice act mandates that nurses report unsafe and incompetent care. The ANA's *Code of Ethics for Nurses with Interpretive Statements* clearly addresses the nurse's primary duty to patients, as well as the duty to preserve integrity and safety in practice.

There can be significant repercussions to not reporting instances of substandard nursing care, especially when it involves actual or potential patient harm. In the course of an investigation, if it is discovered that another employee (such as a supervisor) could have stopped the action, there may be a disciplinary complaint filed against them. The nurse who fails to report deficient practice may also become involved in malpractice litigation.

Finally, it should be noted that as nurses, it is important to provide as much assistance as possible during the course of investigations into substandard nursing care. Active involvement, whether it involves initiating the complaint, working with the Attorney General's office on the investigation, or testifying before the board, will help address issues of poor nursing practice and assist in maintaining safe, effective, high quality nursing care for the citizens of Indiana.

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“Our nurses are such great teachers,
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to work with are awesome.”

Nikki Christian, OMHS Nurse



Nurses have numerous employment options. Sorting through offers and incentives can be challenging, especially for graduates with no previous nursing experience.

But for Nikki Christian it was a straightforward decision; the seasoned surgical technician knew where she wanted to put down her career roots.

“There was no question about where I wanted to work when I finished nursing school,” said Christian, who worked at hospitals in the Owensboro region for six years, “falling in love” with nursing while observing nurses during her tenure in hospital operating rooms.

Christian, who came to work at OMHS as a nurse extern following her third semester of nursing school, worked seven months in the Coronary Care Unit. Today, she is a nurse graduate and is a full-time Intensive Care nurse. She considers nurses at OMHS a significant part of her education.

“Our nurses are such great teachers,” she said. “The ones I have been assigned to work with are awesome.”

The next steps for Christian include a bachelor of science in nursing and eventually becoming a nurse anesthetist. But she said she knows where she wants to be.

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Board Meetings

The Indiana State Board of Nursing meets on the third Thursday of every month. The meetings begin at 8:30 a.m. and continues until business has been completed. The public is invited to attend. It is not necessary to notify the Board if you wish to attend.

September 21, 2006

October 19, 2006

November 16, 2006

December 14, 2006

The 2006 meetings will be held in the Auditorium of the Conference Center, Indiana Government Center South Building, 302 West Washington Street, Indianapolis, Indiana. If you have any questions about attending a meeting you may contact the Board at (317) 234-2043 or via e-mail at pla2@pla.in.gov

Meeting agendas will be available 6 days prior to the meeting at www.pla.in.gov Click on the "calendar & news" link.

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Meeting the needs of patients with complex medical diagnosis the ICU at St.Vincent is a 32-bed unit (expanding to 40 beds). "We address intensive care needs through a framework of different specialty teams," says Pam Claycomb, Director of ICU at St.Vincent. "We specialize in the care of Medical, Surgical, and Neuro-Neurosurgical patients.

The RN at St.Vincent ICU is chal-

lenged to deliver care for patients with wide array of different diagnosis. "The ICU is a high tech, state-of-the-art setting," says Claycomb, "so the nurse on every ICU team here needs to learn technology—and like technology." That ability to like technology is important, Claycomb points out, because the influx of new technology into the ICU is an ongoing process. "But, it's also vital to be proactive as a communicator to the patient's family and a patient care advocate," she adds.

A big part of the challenge for nurses in the ICU is to assess patients expertly and be good problem solvers. That plays an equally important role in St.Vincent's Emergency Department (ED), a Level 2 Trauma Center.

"When the patient comes in to the ED, he or she is basically a 'package of unknowns' that we have to decipher," says Toni Herron, Director of Emergency Services. "We have to fol-

low the clues and symptoms to figure out what the underlying problem is."

The ED, comprising 39 private patient rooms, has specialty rooms for cardiac care, ENT, and hand injuries, as well as gynecological conditions. It's an approved location for treating patients with chemical and HAZMAT contamination.

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Disciplinary Actions

Indefinite Suspension—Indefinitely prohibited from practicing for a specified minimum period of time.

Indefinite Probation—License is placed on probation for a specified minimum period of time with terms and conditions.

Renewal Denied—The Nurses license will not be renewed therefore, she/he does not have a license to practice in Indiana..

Summary Suspension—Immediate threat to the public health and safety should they be allowed to continue to practice. Issued for a period of ninety (90) days but can be renewed with Board approval.

Letter of Reprimand—Letter issued by the Board to the Nurse indicating that what she/he did was wrong.

Revoked—An individual whose license has been revoked

may not apply for a new license until seven (7) years after the date of revocation

Discipline for the previous quarter will be printed in each magazine addition in the future. Changes may occur before printing so the most accurate discipline information should be obtained on the license search feature of our website at www.pla.in.gov.

June 15, 2006 Meeting

NAME	License Number	Board Action Taken
Administrative Hearings		
Lora Jean Campbell	27027213A	Indefinite Probation & CEU's
Beverly Ann Pinder	28121550A & 27020460A	Indefinite Probation, Letter of Reprimand & CEU's
Rhonda Brown	27033735A	Indefinite Probation & CEU's
Lisa Kay Keairns	27034000A	Extension of Summary Suspension
Dianne Jean Decker	27034531A	Letter of Reprimand & CEU's
Linda Kay Bailey	27022483A	Agreement of Summary Suspension
Stephanie Burthay	27052506A	Agreement of Summary Suspension
Carla Jean Jackson	27031266A	Summary Suspension
Dolma Kendrick	27004894A	Indefinite Suspension
Angelia Lynn Wash	27044878A	Agreement of Summary Suspension
Theresa Eileen Wendt	27048115A	Extension of Summary Suspension
Bethuel Tanui Mutai	28166097A	Agreement of Summary Suspension
Kathleen Allen	28095891A	Indefinite Probation & CEU's
Almia Heald	28135137A	Indefinite Probation & Community Service
Margarita McDonald	27052026A	Letter of Reprimand & CEU's
Bruce Callahan	28092739A	Summary Suspension
Stefani Mae Houston	27050532A	Summary Suspension
Jennifer Boggs	27033718A	Indefinite Suspension
Jamie Sue Evans	28157142A	Indefinite Probation
Tracey Rambo	27046140A	Extension of Summary Suspension
Ellen Linker	27028582A	Indefinite Probation & CEU's
Sarena House	27044430A	Indefinite Suspension & \$500.00 Fine
Brian Patrick Tunin	28137578A	Indefinite Suspension & \$250.00 Fine
Sherie Heideman	28113443A	Indefinite Suspension & \$250.00 Fine
Christy Ann Burk	27018397A	Letter of Reprimand, CEU's & \$250.00 Fine
Ronald Fagan	28113278A	\$250.00 Fine
Susan Joan Cearbaugh	27016609A	Indefinite Suspension & \$250.00 Fine
Patricia Arnlund	28044601A	CEU's & \$250.00 Fine
Earlene Swaim	28142243A	Indefinite Probation, CEU's & \$250.00 Fine

July 20, 2006 Meeting

NAME	License Number	Board Action Taken
Administrative Hearings		
Kristina Janeen Ellison	27050742A	Extension of Summary Suspension
Sherrie Hansen	28120482A	Summary Suspension
Lori Andrews	27035534A	Summary Suspension
Ann Marie Blasko	28148127A	Summary Suspension
Heidi Humes	27050593A	Summary Suspension
Rebecca Lynn Graves	27028695A	Summary Suspension
Christina Dawn Marshall	27044672A	Summary Suspension
Dawn Gehring	28119176A	Summary Suspension
Tracy Lynn Rambo	27046140A	Indefinite Suspension
Stephanie Kay Burthay	27052506A	Indefinite Probation
Leroy McCargo	28090248A	Summary Suspension
Wendy Dawn Perkins	27036461A	Extension of Summary Suspension
Bruce Callahan	28092739A	Indefinite Probation & \$250.00 Fine
Tina Louise Irish	27044206A	Extension of Summary Suspension
Jeanette Carla Bly	28109596A	Extension of Summary Suspension
Stacey Anderson	28120487A	Indefinite Probation
Stephanie Willoughby	27043973A	Extension of Summary Suspension
Angela Rodman	27051476A	Extension of Summary Suspension
Keisha Cooper	27052415A	Extension of Summary Suspension
Angelia Wash	27044878A	Indefinite Probation & CEU's
Heather Leigh Downs (Murphy)	28150025A	Agreement for Voluntary Summary Suspension
Terri Lynn Garrett	27047819A	Extension of Summary Suspension
Tasha Kay Blue	28158103A	Indefinite Suspension
Jessica Renee Hagerman	27050091A	Summary Suspension
Shirley Ann Mills	28045287A	Permanent and Voluntary Surrender
Renee Christ	28150026A	Indefinite Probation, CEU's & \$250.00 Fine
Renee Dawn Dross	27051497A	Letter of Reprimand, CEU's & \$250.00 Fine
Kimberly Clark	28143832A	\$500.00 Fine & CEU's
Theresa Kay Birch	27041997A	Indefinite Suspension & \$250.00 Fine
Tina Frances Casteel	28132699A	Indefinite Probation & \$250.00 Fine
Stacey Ann Hoefflin	27048520A	Letter of Reprimand, CEU's & \$250.00 Fine
Lisa Kay Keairns	27034000A	Indefinite Suspension & \$500.00 Fine
Lisa Carol Reathaford	28103719A	Indefinite Suspension & \$500.00 Fine



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For more information regarding nursing opportunities at St. Margaret Mercy, candidates may contact

Mary Jo Erickson, Nurse Recruiter.
E-mail: maryjo.erickson@ssfhs.org

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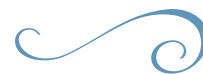
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